

The Gazette of India



EXTRAORDINARY
PART II—Section 2
PUBLISHED BY AUTHORITY

No. 19] NEW DELHI, THURSDAY, APRIL 9, 1953

COUNCIL OF STATES

The following Bills were introduced in the Council of States on the 9th April 1953:—

BILL No. VIII of 1953

A Bill to amend and codify certain parts of the law relating to minority and guardianship among Hindus

Be it enacted by Parliament as follows:—

1. **Short title and extent.**—(1) This Act may be called the Hindu Minority and Guardianship Act, 1953.

(2) It extends to the whole of India except the State of Jammu and Kashmir and applies also to Hindus domiciled in the territories to which this Act extends who are outside the said territories.

2. **Application of Act.**—(1) This Act applies—

(a) to any person who is a Hindu by religion in any of its forms or developments, including a Virashaiva, a Lingayat or a follower of the Brahmo, Prarthana or Arya Samaj,

(b) to any person who is a Buddhist, Jaina or Sikh by religion, and

(c) to any other person domiciled in India who is not a Muslim, Christian, Parsi or Jew by religion, unless it is proved that any such person would not have been governed by the Hindu law or by any custom or usage as part of that law in respect of any of the matters dealt with herein if this Act had not been passed.

Explanation.—The following persons are Hindus by religion within the meaning of this Act,—

(a) any illegitimate child both of whose parents are Hindus,

(b) any child, legitimate or illegitimate, one of whose parents is a Hindu and who is brought up as a member of the tribe, community, group or family to which such parent belongs or belonged, and

(c) any person who is a convert or re-convert to the Hindu religion.

(2) The expression 'Hindu' in any portion of this Act shall be construed as if it included a person who, though not a Hindu by religion, is, nevertheless, a person to whom this Act applies by virtue of the provisions contained in sub-section (1).

3. Definitions.—In this Act—

(a) "minor" means a person who has not completed the age of eighteen years;

(b) "natural guardian" means any of the guardians referred to in section 5, but does not include a guardian—

(i) appointed by the will of the minor's father, or

(ii) appointed or declared by a court, or

(iii) empowered to act as such by or under any enactment relating to any court of wards.

4. Over-riding effect of Act.—Save as otherwise expressly provided in this Act—

(a) any text, rule or interpretation of Hindu law or any custom or usage in force immediately before the commencement of this Act shall cease to have effect with respect to any matter for which provision is made in this Act;

(b) any other law in force immediately before the commencement of this Act shall cease to have effect in so far as it is inconsistent with any of the provisions contained in this Act.

5. Natural guardians of a Hindu minor.—The natural guardians of a Hindu minor, in respect of the minor's person as well as in respect of the minor's property (excluding his or her undivided interest in joint family property), are—

(a) in the case of a boy or unmarried girl—the father, and after him, the mother; provided that the custody of a minor who has not completed the age of three years shall ordinarily be with the mother;

(b) in the case of an illegitimate boy or an illegitimate unmarried girl—the mother and after her, the father;

(c) in the case of a married girl—the husband:

Provided that no person shall be entitled to act as the natural guardian of a minor under the provisions of this section—

(a) if he has ceased to be a Hindu, or

(b) if he has completely and finally renounced the world by becoming a hermit or an ascetic or a perpetual religious student.

6. Natural guardianship of adopted son.—The natural guardianship of an adopted son who is a minor passes, on adoption, from the family of his birth to the family of his adoption.

7. Powers of natural guardian.—(1) The natural guardian of a Hindu minor has power, subject to the provisions of this section, to do all acts which are necessary or reasonable and proper for the benefit of the minor or for the realization, protection or benefit of the minor's estate; but the guardian can in no case bind the minor by a personal covenant.

(2) The natural guardian shall not, without the previous permission of the Court—

(a) mortgage or charge, or transfer by sale, gift, exchange or otherwise, any part of the immovable property of the minor; or

(b) lease any part of such property for a term exceeding five years or for a term extending more than one year beyond the date on which the minor will attain majority.

(3) Any disposal of immovable property by a natural guardian, in contravention of sub-section (1) or sub-section (2), is voidable at the instance of the minor or any other person affected thereby.

(4) No court shall grant permission to the natural guardian to do any of the acts mentioned in sub-section (2) except in case of necessity or for an evident advantage to the minor.

(5) The Guardians and Wards Act, 1890 (VIII of 1890), shall apply to and in respect of an application for obtaining the permission of the court under sub-section (2) in all respects as if it were an application for obtaining the permission of the court under section 29 of that Act, and in particular—

(a) proceedings in connection with the application shall be deemed to be proceedings under that Act within the meaning of section 4A thereof;

(b) the court shall observe the procedure and have the powers specified in sub-sections (2), (3) and (4) of section 31 of that Act; and

(c) an appeal shall lie to the High Court from an order of the court refusing permission to the natural guardian to do any of the acts mentioned in sub-section (2) of this section.

(6) In this section, "court" means the district court or a court empowered under section 4A of the Guardians and Wards Act, 1890 (VIII of 1890), within the local limits of whose jurisdiction the immovable property in respect of which the application is made, or any part thereof, is situated.

8. Revocation of authority by natural guardian.—Where the natural guardian of a Hindu minor authorises another person to take charge of the minor, the authority is revocable except—

(a) where it is not in the interests of the minor to permit revocation; or

(b) where the natural guardian has ceased to be a Hindu, or

(c) where for any other sufficient cause, it is not desirable to permit revocation.

9. Testamentary guardian and his powers.—(1) A Hindu father may, by will, appoint a guardian for any of his minor legitimate children in respect of the minor's person, or in respect of the minor's property (other than the undivided interest referred to in section 12) or in respect of both.

Provided that nothing in this section shall be deemed to authorise any person to act as the guardian of the person of the minor for so long the mother is alive and is capable of acting as the natural guardian of her minor child.

(2) The guardian so appointed has, after the death of the father and of the mother, if the father has predeceased her, the right to act as the

minor's guardian, and to exercise all the rights of a natural guardian under this Act to such extent and subject to such restrictions, if any, as may be specified in the will.

(3) Subject to the provisions of this Act, a Hindu widow may, by will, appoint a guardian for any of her minor children in respect of the person of the minor:

Provided that her husband has not already by will appointed any person to be the guardian of the person of such child.

(4) The right of the guardian so appointed shall, where the minor is a girl, cease on her marriage.

10. Duty of guardian to bring up minor as a Hindu.—It shall be the duty of the guardian of a Hindu minor to bring up the minor as a Hindu.

11. De facto guardian not to deal with minor's property.—After the commencement of this Act, no person shall be entitled to dispose of, or deal with, the property of a Hindu minor merely on the ground of his or her being the *de facto* guardian of the minor.

12. Guardian not to be appointed for minor's undivided interest in joint family property.—Where a minor has an undivided interest in joint family property and the property is under the management of an adult member of the family, no guardian shall be appointed for the minor in respect of such undivided interest:

Provided that nothing in this section shall be deemed to affect the jurisdiction of a High Court to appoint a guardian in respect of such interest.

13. Welfare of minor to be paramount consideration.—In the appointment or declaration of any person as guardian of a Hindu minor by a Court, the welfare of the minor shall be the paramount consideration and no person shall be entitled to the guardianship by virtue of the provisions of this Act or of any law relating to guardianship in marriage among Hindus, if the Court is of opinion that his or her guardianship will not be for the welfare of the minor.

STATEMENT OF OBJECTS AND REASONS

This is another instalment of the Hindu Code and it deals with the law relating to minority and guardianship.

2. Under the Indian Majority Act, 1875, a person attains majority on his completing the age of 18 years but if before the completion of that age he has a guardian appointed by the court, he attains majority on completing the age of 21 years. That Act applies to all persons including Hindus but an exception is made with respect to the capacity of any person to act in the matter of marriage, dower, divorce and adoption. Marriage and divorce have already been dealt with so far as Hindus are concerned and the definition of minor in the Bill will ensure that the age of majority is 18 for all practical purposes.

8. Guardians may be divided into three classes, namely, (1) natural guardians, (2) testamentary guardians and (3) guardians appointed under the Guardians and Wards Act, 1890, and the present Bill is supplemental to the Guardians and Wards Act, 1890, and deals with natural guardians and testamentary guardians, incidentally abolishing *de facto* guardians.

4. The notes on clauses explain, wherever necessary, the various provisions contained in the Bill.

C. C. BISWAS.

NEW DELHI;

The 18th March, 1953.

Notes on Clauses

Clause 5.—The proviso to this clause was added by the Select Committee in 1948; otherwise this clause re-states the existing law.

Clause 6.—This clause exactly reproduces the existing law.

Clause 7.—The existing restrictions on the powers of the natural guardian of a Hindu minor have been re-cast more or less on the lines of similar restrictions in the Guardians and Wards Act, 1890.

Clause 8.—Under the present law, the natural guardian can entrust the custody and education of his minor children to another person but such entrustment is revocable. The court will, however, interfere to prevent revocation if the authority has been acted upon in such a way as to create associations or to give rise to expectations on the part of the minor which it would be undesirable in the circumstances to disturb.

Clause 9.—Under the existing law, even the mother can be excluded from the guardianship by the father. She has also no power to appoint a testamentary guardian.

The Select Committee in 1948 amended this clause to provide that no testamentary guardian appointed by the father shall be entitled to act as such if the mother is alive and is capable of acting as the natural guardian. They also provided that a Hindu widow may appoint a testamentary guardian if her husband has not already appointed any such guardian. The present clause follows the Select Committee's draft.

Clause 10.—This clause reproduces a similar provision contained in the Rau Committee's draft.

Clause 11.—Under the existing law, a *de facto* guardian has the same power of alienating the property of his ward as a natural guardian. This clause abolishes *de facto* guardians as there is no need to continue to grant recognition to such guardians.

Clause 12.—So long as the joint family system exists, this provision, which is in accordance with the existing law, is necessary.

Clause 13.—As in section 17 of the Guardians and Wards Act, 1890, the welfare of the minor has been made the paramount consideration in the appointment or declaration of any person as guardian of a Hindu minor.

BILL NO. IX OF 1953

A Bill to repeal certain enactments and to amend certain other enactments.

BE it enacted by Parliament as follows:—

1. Short title.—This Act may be called the Repealing and Amending Act, 1953.

2. Repeal of certain enactments.—The enactments specified in the First Schedule are hereby repealed to the extent mentioned in the fourth column thereof.

3. Declaration respecting certain enactments inapplicable to India.—The enactments specified in the Second Schedule are hereby formally declared to be no part of the Laws of India.

4. Amendment of certain enactments.—The enactments specified in the Third Schedule are hereby amended to the extent and in the manner mentioned in the fourth column thereof.

5. Savings.—The repeal by this Act of any enactment shall not affect any other enactment in which the repealed enactment has been applied, incorporated or referred to;

and this Act shall not affect the validity, invalidity, effect or consequences of anything already done or suffered, or any right, title, obligation or liability already acquired, accrued or incurred, or any remedy or proceeding in respect thereof, or any release or discharge of or from any debt, penalty, obligation, liability, claim or demand, or any indemnity already granted, or the proof of any past act or thing;

nor shall this Act affect any principle or rule of law, or established jurisdiction, form or course of pleading, practice or procedure, or existing usage, custom, privilege, restriction, exemption, office or appointment, notwithstanding that the same respectively may have been in any manner affirmed, or recognised or derived by, in or from any enactment hereby repealed;

nor shall the repeal by this Act of any enactment revive or restore any jurisdiction, office, custom, liability, right, title, privilege, restriction, exemption, usage, practice, procedure or other matter or thing not now existing or in force.

THE FIRST SCHEDULE
REPEALS

(See section 2)

| Year 1 | No. 2 | Short title 3 | Extent of repeal 4 |
|---|----------|--|--------------------------|
| <i>Acts of the Governor General of India in Council</i> | | | |
| 1876 | XX | The Bhavnagar Act, 1876 . . . | The whole. |
| 1877 | IX | The Punjab Murderous Outrages (Amendment) Act, 1877. | The whole. |
| 1881 | XXV | The Banki Laws Act, 1881 . . . | The whole. |
| 1885 | VII | The Panch Mahals Laws Act, 1885 . . | The whole. |
| 1886 | XVII | The Jhansi and Morar Act, 1886 . . | The whole. |
| 1920 | XXXV | The Basel Mission Trading Company Act, 1920 . | The whole |
| <i>Acts of the Indian Legislature</i> | | | |
| 1921 | IX | The Enemy Missions Act, 1921 . . | The whole. |
| 1923 | XXII | The Melkharoda and Gaontia Villages Laws Act, 1923. | The whole. |
| 1947 | X | The Explosives (Temporary Provisions) Act, 1947 . | The whole. |
| <i>Act of the Dominion Legislature</i> | | | |
| 1949 | LV | The Explosives (Temporary Provisions) Act, 1949 . | The whole. |
| <i>Act of Parliament</i> | | | |
| 1951 | XLVI | The Punjab State Legislature (Delegation of Powers) Act, 1951. | The whole. |

THE SECOND SCHEDULE
ENACTMENTS NO LONGER PART OF THE LAWS OF INDIA
(See section 3)

| Year 1 | No. 2 | Short title 3 |
|---|----------|---|
| <i>Acts of the Governor General of India in Council</i> | | |
| 1876 | II | The Burma Land and Revenue Act, 1876. |
| 1880 | II | The Burma District Cesses and Rural Police Act, 1880. |
| 1880 | V | The Burma Boundaries Act, 1880. |
| 1882 | XIX | The Punjab University Act, 1882. |

| Year 1 | No. 2 | Short title | 3 |
|--|----------|---|---|
| | | | |
| <i>Acts of the Governor General of India in Council—contd.</i> | | | |
| 1883 | VIII | The Little Cocos and Preparis Islands Laws Act, 1883. | |
| 1883 | XII | The British Burma Pilots Act, 1883. | |
| 1883 | XIII | The Indus Valley State Railway Lands Act, 1883. | |
| 1884 | XIX | The Rangoon Waterworks Act, 1884. | |
| 1887 | XI | The Sindh-Pishin Railway Act, 1887. | |
| 1892 | VIII | The Lansdowne Bridge Act, 1892. | |
| 1895 | II | The Burma Boundaries Act Amendment Act, 1895. | |
| 1895 | XI | The Pegu and Tenasserim Validation Act, 1895. | |
| 1896 | XX | The Sind Incumbered Estates Act, 1896. | |
| 1898 | XIII | The Burma Laws Act, 1898. | |
| 1915 | XIII | The North-West Frontier Constabulary Act, 1915. | |
| 1920 | XVI | The Jaggannath College Act, 1920. | |
| 1920 | XVIII | The Dacca University Act, 1920. | |
| <i>Acts of the Indian Legislature</i> | | | |
| 1926 | XXXIV | The Sind Courts (Supplementary) Act, 1926. | |
| 1928 | I | The Burma Salt (Amendment) Act, 1928. | |
| 1929 | XVI | The Burma Salt (Amendment) Act, 1929. | |

THE THIRD SCHEDULE

AMENDMENTS

(See section 4)

| Year 1 | No. 2 | Short title | Amendments 4 |
|-----------|----------|---|--|
| | | 3 | |
| | | <i>Acts of the Governor General of India in Council</i> | |
| 1860 | XLV | The Indian Penal Code . . . | <p>(i) In section 214, for the words "to restore or cause the restoration of", the words "restores or causes the restoration of" shall be substituted.</p> <p>(ii) In sub-section (2) of section 263A, for the words "may be seized and", the words "may be seized and, if seized" shall be substituted.</p> <p>(iii) In section 266, the word "and" before the word "intending" shall be omitted.</p> |

| Year 1 | No. 2 | Short title 3 | Amendments 4 |
|-----------|----------|--|--|
| | | <i>Acts of the Governor General of India in Council—contd.</i> | |
| 1872 | IV | The Punjab Laws Act, 1872 | In Schedule I, all the entries relating to Reg. III of 1818 shall be omitted. |
| 1888 | IV | The Indian Reserve Forces Act, 1888. | In sub-section (1) (i) of section 6, for the words and figures "Indian Army Act, 1911", the words and figures "Army Act, 1950" shall be substituted. |
| 1890 | IX | The Indian Railways Act, 1890 | In sub-section (4) of section 182 and in sub-section (2) of section 145, for the words and figures "Code of Criminal Procedure, 1882", the words and figures "Code of Criminal Procedure, 1898" shall be substituted. |
| 1908 | V | The Code of Civil Procedure, 1908 | In clause (7B) of section 2, after the figures "44", the figures and letter "44A" shall be inserted. |
| 1914 | III | The Indian Copyright Act, 1914 | In the First Schedule, in section 4 of the Copyright Act, 1911, for the words "Judicial Committee of the Privy Council" and "Judicial Committee", the words "Supreme Court" shall be substituted. |
| 1923 | XXI | The Indian Merchant Shipping Act, 1923. | In sub-section (2) of section 224K,— (i) in clause (a), the words "outside India" shall be omitted; and (ii) for the words "British India Load Line Certificates" wherever they occur, the words "Indian Load Line Certificates" shall be substituted. |
| 1925 | XXXIX | The Indian Succession Act, 1925 <i>Acts of Parliament</i> | In the last paragraph of section 273, the words "of India" shall be omitted. |
| 1950 | XIII | The Delhi Road Transport Authority Act, 1950. | (i) For sub-section (3) of section 1, the following sub-section shall be substituted, namely:— “(3) It shall be deemed to have come into force on the 27th day of March, 1950”. |

| Year | No. | Short title | Amendments |
|------|------|---|--|
| 1 | 2 | 3 | 4 |
| | | <i>Acts of Parliament</i> —contd. | |
| | | | (ii) After section 54, the following section shall be inserted, namely:— |
| | | | <p>"55. Validation of certain acts. —For the removal of doubts, it is hereby declared that anything done or any action taken under this Act, including any notification issued, order, rule or appointment made during the period between the 27th day of March, 1950 and the commencement of the Repealing and Amending Act, 1953 shall, for all purposes, be deemed to be as valid and operative as if such thing had been done or action had been taken in accordance with law, and no suit or other legal proceeding shall be maintained or continued against any authority, whatsoever, on the ground that any such thing or action was not done or taken in accordance with law."</p> |
| 1951 | LXIX | The Plantations Labour Act, 1951 | <p>(i) In section 22, for the figures "19", the figures "21" shall be substituted; and</p> |
| | | | <p>(ii) In sub-section (2) of section 31, for the words "any period less than", the words "any period not less than" shall be substituted.</p> |
| 1952 | XXX | The Requisitioning and Acquisition of Immovable Property Act, 1952. | <p>In sub-section (1) of section 17, the words "by or" shall be omitted and for the words "the State Government", the words "by the State Government or by an officer subordinate to the State Government" shall be substituted.</p> |
| 1952 | XXXV | The Mines Act, 1952 | <p>(i) In sub-section (1) of section 33, after the words "more than forty-eight hours" the words "in any week" shall be inserted; and (ii) In section 37, sub-section (1) of section 38 and section 39, for the words, figures and brackets "sub-section (4) of section 36", the words, brackets and figures "sub-section (5) of section 36" shall be substituted.</p> |

| Year 1 | No. 2 | Short title 3 | Amendments 4 |
|-----------------------------------|----------|---|---|
| <i>Acts of Parliament -concl.</i> | | | |
| 1952 | LXXIV | The Forward Contracts (Regulation) Act, 1952. | <p>After section 28, the following section shall be inserted, namely :</p> <p>"29. Repeals and savings.—If immediately before the date on which this Act or any provision contained therein is made applicable to any goods or classes of goods in any State, there is in force in that State any law corresponding to this Act or, as the case may be, to any provision contained herein which is applicable to those goods or classes of goods, that law shall stand repealed on the said date:</p> <p>Provided that the repeal shall not affect—</p> <ul style="list-style-type: none"> (a) the previous operation of any law so repealed or anything duly done or suffered thereunder, or (b) any right, privilege, obligation or liability acquired, accrued or incurred under any law so repealed, or (c) any penalty, forfeiture or punishment incurred in respect of any offence committed against any law so repealed, or (d) any investigation, legal proceeding or remedy in respect of any such right, privilege, obligation, liability, penalty, forfeiture or punishment as aforesaid ; <p>and any such investigation, legal proceeding or remedy may be instituted, continued or enforced, and any such penalty, forfeiture or punishment may be imposed as if this Act had not been passed :</p> <p>Provided further that, subject to the preceding proviso, anything done or any action taken (including any appointment made, notification or order issued, rule, regulation, form or by-law framed, or recognition granted) under any such law shall be deemed to have been done or taken under the corresponding provision of this Act, and shall continue to be in force accordingly unless and until superseded by anything done or any action taken under <u>this Act</u>."</p> |

STATEMENT OF OBJECTS AND REASONS

This Bill is one of those periodical measures by which enactments which have ceased to be in force or have become obsolete or the retention whereof as separate Acts is unnecessary are repealed or by which formal defects detected in enactments are corrected. This Bill has been prepared after due consultation with State Governments in so far as the Bill relates to the repeal of certain old and obsolete laws.

The Notes which follow explain the reasons for the repeal or amendment suggested in such of those items of the Bill in respect whereof some detailed explanation is necessary.

Clause 4 of the Bill contains a precautionary provision which it is usual to include in Bills of this kind.

C. C. BISWAS.

NEW DELHI;

The 4th April 1953.

NOTES ON CLAUSES

THE FIRST SCHEDULE

The Bhavnagar Act, 1876.—This Act was enacted to implement certain agreements with the then Thakur of Bhavnagar, and in consultation with the Government of Saurashtra it is now being repealed as obsolete.

The Punjab Murderous Outrages (Amendment) Act, 1877.—The Punjab Murderous Outrages Act, 1877, was repealed by the Repealing and Amending Act, 1952 (XLVIII of 1952), but the formal repeal of this Act which revived the principal Act and extended its life during the pleasure of the Central Government was somehow over-looked.

The Banki Laws Act, 1881.—This Act annexed the territory comprised in the Mahal of Banki to the district of Cuttack and assimilated its laws with the laws of Cuttack. By reason of article 372 of the Constitution all pre-existing laws continue and this Act is no longer necessary.

The Panch Mahals Laws Act, 1885.—This Act removed Panch Mahals from the list of Scheduled Districts and assimilated the laws in force therein with the laws in force in the nearby District of Khaira. Panch Mahals are now part of the State of Bombay, and there is no longer any need for retaining this special Act on the Statute-book.

The Jhansi and Morar Act, 1886.—This Act annexed the town and fort of Jhansi to the Jhansi District and is now obsolete.

The Basel Mission Trading Company Act, 1920 and the Enemy Missions Act, 1921.—These Acts, which validated certain indentures transferring certain enemy properties after the First World War and provided for the incorporation of certain Trustees are no longer necessary.

The Malkharoda and Gaontia Villages Laws Act, 1928.—These villages are now part of Madhya Pradesh and for reasons similar to those given against the Panch Mahals Laws Act, 1885, this Act is also being repealed. The Government of Madhya Pradesh have agreed to its repeal.

The Explosives (Temporary Provisions) Act, 1947.—This Act is spent.

The Explosives (Temporary Provisions) Act, 1949.—This Act is spent.

The Punjab State Legislature (Delegation of Powers) Act, 1951.—This Act became inoperative after the 17th April, 1952, when the Proclamation issued by the President under article 356 of the Constitution was revoked.

THE SECOND SCHEDULE

The Acts listed in this Schedule relate to Burma or Pakistan and are formally declared to have no effect in India so that they can be completely removed from the Statute book.

THE THIRD SCHEDULE

The Indian Penal Code.—Amendment No. (i) seeks to insert the correct link with the succeeding words.

By amendment No. (ii), the words "may be seized and shall be forfeited" are to be replaced by the words "may be seized and, if seized, shall be forfeited" as this seems to be the real intention of this section.

Amendment No. (iii) omits the word "and" before the word "intending" as a matter of grammar.

The Punjab Laws Act, 1872—Bengal Regulation III of 1818 was repealed by the Repealing and Amending Act, 1952, but the reference to this Regulation in Schedule I to the Punjab Laws Act, 1872, was not omitted through oversight.

The Code of Civil Procedure, 1908—Section 44A deals with reciprocal arrangements with foreign countries for the execution of decrees and the word "India" in this section must necessarily include Jammu and Kashmir. Section 2(7B) defines "India" in a restricted sense except in a few sections, and section 44A is one of the sections which should find a place in the sections so excepted where "India" has its ordinary meaning as in the Constitution.

The Indian Copyright Act, 1914—The references to the Judicial Committee of the Privy Council are now being substituted by references to the Supreme Court as a matter of adaptation.

The Indian Merchant Shipping Act, 1923.—The first amendment omits words which refer to India as part of His Majesty's Dominions. The second amendment substitutes "Indian Load-Line Certificates" for "British India Load-Line Certificates" in one of the sections in which such an amendment was not carried out by the Repealing and Amending Act, 1949 (XLV of 1949).

The Indian Succession Act, 1925.—Words rendered meaningless by reason of certain general adaptations in the Adaptation of Laws Order, 1950, and the Part B States Laws Act, 1951, are now being omitted.

The Delhi Road Transport Authority Act, 1950.—A notification was issued on 27th March, 1950 under this Act setting up the Delhi Road Transport Authority but through oversight the Act itself was not formally brought into force. The amendments seek to rectify this formal defect and to validate all action taken during the interim period.

The Plantations Labour Act, 1951.—Amendment No. (i) corrects an erroneous reference to section 19 in section 22 while amendment No. (ii) seeks to restore the word ‘not’ before the words ‘less than’, to carry out the obvious intention of the Act which is to entitle labourers to payment of advance wages only if the leave period is not less than four days.

The Requisitioning and Acquisition of Immovable Property Act, 1952.—The words “by or” have no meaning in the context and they are being omitted. The other amendment seeks to remove a difficulty in the construction of the words “State Government” and to make the meaning of the section clear, which is to enable the Central Government to delegate powers to officers of the Central Government or to the State Government or to officers of the State Government.

The Mines Act, 1952.—Amendment No. 1 is clarificatory while amendment No. 2 corrects a clerical error.

The Forward Contracts (Regulation) Act, 1952—It has now been brought to notice that certain State Acts require to be expressly repealed on the enforcement of this Act or of any provision contained therein in relation to any goods or classes of goods. This repealing clause will have the effect of repealing *pro tanto* the corresponding law in the State subject to necessary savings.

S. N. MUKERJEE.

Secretary.